IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JAIPUR BENCH, JAIPUR

ORDER

S.B.CIVIL WRIT PETITION NO.6856/2002.

Jagdish Prasad. **VERSUS** B.O.R. & Ors.

14.11.2006.

HON'BLE MR.JUSTICE DALIP SINGH

Mr.Sudesh Bansal, for the petitioner.
Mr.B.K.Sharma, Deputy Government Advocate.

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The petitioner has challenged the order dated 02.04.1996 (Annexure-9) reviewing and revoking the earlier order dated 17.01.1996 (Annexure-3), passed in favour of the petitioner.

The reason given by the learned Tehsildar while reviewing the order dated 17.01.1996 vide order dated 02.04.1996 (Annexure-9) is that despite several opportunities having been furnished to the petitioner to submit the *Nazri Naksha*, the petitioner failed to submit the same and the map which was earlier submitted did not tally with the ground reality existing.

Learned counsel for the petitioner submits that the petitioner is willing to submit the map in question as desired by the Tehsildar and for this purpose one opportunity may be granted to the petitioner.

The submission of the learned Deputy Government Advocate is that the impugned order had been challenged by the petitioner before the learned Revenue Appellate Authority and before the learned Board of Revenue, the

same has become final.

Having heard learned counsel for the parties, I am of the view that one opportunity may be provided to the petitioner and for this purpose the petitioner is directed to appear before the learned Tehsildar, Ramgarh on 11.12.2006 along with the required map and the learned Tehsildar after considering the same shall pass the necessary orders in that behalf on the notice issued for the reviewing/revoking the order dated 17.01.1996 in accordance with law.

In view of the above, the impugned order dated 02.04.1996 (Annexure-9) and the subsequent orders passed by the learned Collector, learned Revenue Appellate Authority and the learned Board of Revenue are also quashed and set aside. The learned Tehsildar shall allow one opportunity to the petitioner to place the document on record on 11.12.2006 and decide the matter within a period of three months thereafter.

In view of the above, the writ petition as well as the stay application are disposed of, as above.

(DALIP SINGH),J.

Solanki DS, Jr.P.A.